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ON THE LAW OF THE SEA

SPLOS

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STATES PARTIES

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New York, 19-28 May 1999

PENSION SCHEME REGULATIONS FOR MEMBERS OF THE INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA

Draft decision

1. The eighth Meeting of States Parties considered an item concerning a pension scheme for members of the International Tribunal for the Law of the Sea, including a review of a draft proposed by the Tribunal entitled "draft pension scheme regulations for members of the International Tribunal for the Law of the Sea" (see SPLOS/31, paras. 37-40). The draft proposed was comparable to the Pension Scheme Regulations for Members of the International Court of Justice then in effect. The Meeting agreed that a pension scheme for members of the Tribunal should be established. It also decided to take a decision on the matter before the term of the first group of judges expires on 30 September 1999. It further noted that more time was needed for consultations between the Registry and the parties concerned regarding the applicability of the scheme of the International Court of Justice, particularly given the fact that the General Assembly might take a new decision with regard to that scheme. The Meeting also decided to include the item in the agenda of its ninth Meeting.

2. By its resolution 53/214 of 18 December 1998, the General Assembly approved certain amendments to the Pension Scheme Regulations for Members of the International Court of Justice. On the basis of those amendments approved by the Assembly and taking into account the views expressed during the consideration of this matter at the eighth Meeting of States Parties and the relevant decisions of the Meeting of States Parties governing the system of remuneration of members of the Tribunal, the Tribunal proposed revised draft pension scheme regulations for members of the International Tribunal for the Law of the Sea (SPLOS/WP.7/Rev.1).

3. Having considered the revised draft, the ninth Meeting of States Parties approved it with the following amendments.

Article 1

Retirement pension

Paragraph 2

Subparagraph (a)

Replace has served a full term of nine years with has served for nine or more years

Subparagraph (b)

Delete the subparagraph

Subparagraph (c)

Replace has served for less than a full term of nine years with has served for less than nine years

Renumber the subparagraph as subparagraph (b)

Article 5

Definitions

Paragraph 1

Replace the paragraph with 1. "Member" means an elected member of the Tribunal in office.

Paragraph 2

Replace the total amount of annual, special and subsistence allowances with the total remuneration

Article 6

Miscellaneous

Paragraph 3

Replace article 4, paragraph 3 with article 1, paragraphs 3 and 4

Article 7

Application and effective date

Paragraph 3

Delete the paragraph